

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF NEW YORK

**ORIGINAL**

JOHN M. LARKINS,

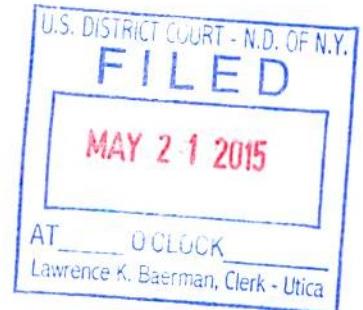
Plaintiff,

-vs-

1:13-CV-1442

JUSTIN ASHE, DOMINICK COMITALE, and  
MARTIN FURCINITI,

Defendants.



**VERDICT FORM**

**Defendant Martin Furciniti**

Dated: May 20, 2015.  
Utica, New York.

Court's Exhibit No. 4

## **EXCESSIVE FORCE**

1. Did defendant Martin Furciniti use excessive force against plaintiff John Larkins, or fail to prevent the use of such force, on August 27, 2011?

Yes \_\_\_\_\_ No X

If you answered YES, proceed to Question 1A.

If you answered NO, proceed to Question 2.

- A. Was the excessive force, or failure to intervene, a proximate cause of mental and / or physical injury to plaintiff John Larkins?

Yes \_\_\_\_\_ No \_\_\_\_\_

**Proceed to Question 2.**

## **MALICIOUS PROSECUTION**

2. Did defendant Martin Furciniti subject plaintiff John Larkins to malicious prosecution for Assault?

Yes \_\_\_\_\_ No X

If you answered YES, proceed to Question 2A.

If you answered NO, proceed to Question 3.

*If you answered NO to 1 and 2, then proceed to the last page and sign the verdict form.*

- A. Was the malicious prosecution a proximate cause of mental and / or physical injury to plaintiff John Larkins?

Yes \_\_\_\_\_ No \_\_\_\_\_

**Proceed to Question 3.**

**DAMAGES**

**ACTUAL DAMAGES**

3. *Complete this section ONLY IF you answered YES to Question 1A or 2A, otherwise proceed to Question 4.*

Pain and Suffering/Personal Injuries: \$ \_\_\_\_\_

Mental Anguish and Humiliation: \$ \_\_\_\_\_

TOTAL Actual Damages: \$ \_\_\_\_\_

**Proceed to Question 5.**

**NOMINAL DAMAGES**

4. *Complete this section ONLY IF you answered NO to Question 1A or 2A, otherwise proceed to Question 5.*

Is plaintiff John Larkins entitled to \$1.00 in nominal damages from defendant Martin Furciniti?

Yes \_\_\_\_\_ No X \_\_\_\_\_

**Proceed to Question 5.**

**PUNITIVE DAMAGES**

5. Do you find that plaintiff John Larkins is entitled to punitive damages from defendant Martin Furciniti?

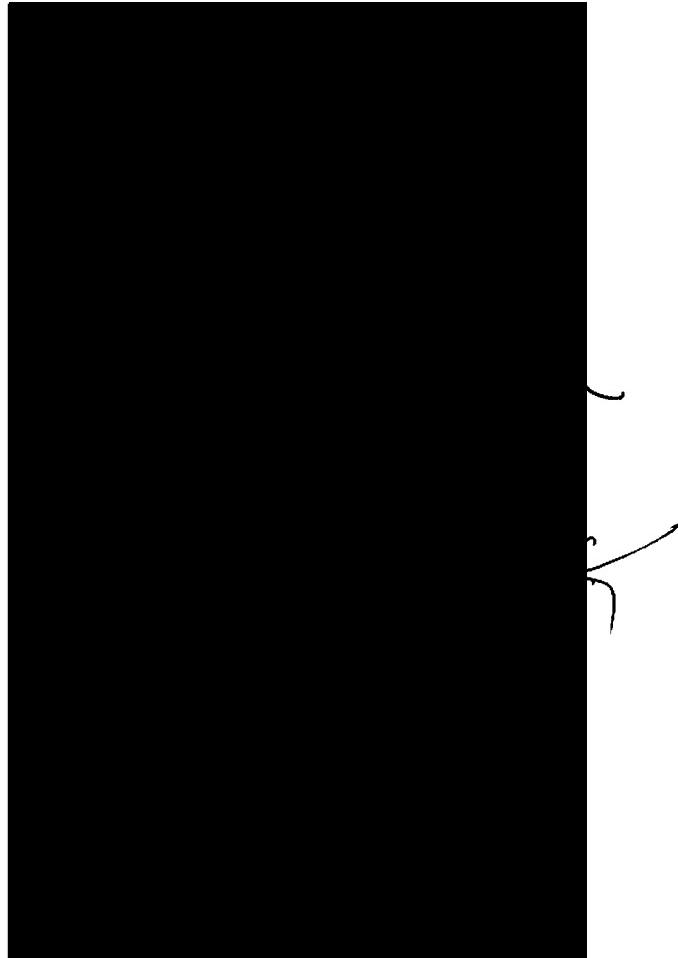
Yes \_\_\_\_\_ No X

PROCEED TO THE NEXT PAGE, SIGN IN THE SPACE PROVIDED, AND NOTIFY  
THE MARSHAL THAT YOU HAVE REACHED A VERDICT.

Please sign and date this verdict form.

YOUR VERDICT MUST BE UNANIMOUS.  
ALL JURORS MUST SIGN.

Dated: May 21, 2015



Jurors names redacted.